



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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**STATE WATER CONTROL BOARD
ENFORCEMENT ACTION - ORDER BY CONSENT
ISSUED TO
TOWN OF DUNGANNON
FOR
DUNGANNON SEWAGE TREATMENT PLANT
VPDES Permit No. VA0070670**

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board and the Town of Dungannon, regarding the Dungannon Sewage Treatment Plant, for the purpose of resolving certain violations of the State Water Control Law and the applicable permit and regulation.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "305(b) report" means the report required by Section 305(b) of the Clean Water Act (33 United States Code § 1315(b)), and Va. Code § 62.1-44.19:5 for providing Congress and the public an accurate and comprehensive assessment of the quality of State surface waters. The "303(d) report" is a subset of the "305(b) report".
2. "Board" means the State Water Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and 62.1-44.7.
3. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.

4. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
5. "Discharge" means discharge of a pollutant. 9 VAC 25-31-10
6. "Discharge of a pollutant" when used with reference to the requirements of the VPDES permit program means:
 - a. Any addition of any pollutant or combination of pollutants to surface waters from any point source; or
 - b. Any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.
7. "DMR" means Discharge Monitoring Report.
8. "Dungannon" or "Town" means the Town of Dungannon, a political subdivision of the Commonwealth of Virginia. Dungannon is a "person" within the meaning of Va. Code § 62.1-44.3.
9. "Effluent" means wastewater – treated or untreated – that flows out of a treatment plant, sewer, or industrial outfall.
10. "Facility", "Plant" or "STP" means the Dungannon Sewage Treatment Plant, located at 200 Waterford Avenue, Dungannon, Virginia, which treats and discharges treated sewage and other municipal wastes, for the residents and businesses of the Town of Dungannon.
11. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.
12. "O&M" means operations and maintenance.
13. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law.
14. "Permit" means VPDES Permit No. VA0070670, which was issued under the State Water Control Law and the Regulation to the Town of Dungannon on July 1, 2017, and expires June 30, 2022.
15. "Pollutant" means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 USC § 2011 *et seq.*)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water... 9 VAC 25-31-10.

16. "Pollution" means such alteration of the physical, chemical, or biological properties of any state waters as will or is likely to create a nuisance or render such waters (a) harmful or detrimental or injurious to the public health, safety, or welfare or to the health of animals, fish, or aquatic life; (b) unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or (c) unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses, provided that (i) an alteration of the physical, chemical, or biological property of state waters or a discharge or deposit of sewage, industrial wastes or other wastes to state waters by any owner which by itself is not sufficient to cause pollution but which, in combination with such alteration of or discharge or deposit to state waters by other owners, is sufficient to cause pollution; (ii) the discharge of untreated sewage by any owner into state waters; and (iii) contributing to the contravention of standards of water quality duly established by the Board, are "pollution." Va. Code § 62.1-44.3.
17. "Regulation" means the VPDES Permit Regulation, 9 VAC 25-31-10, *et seq.*
18. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 *et seq.*) of Title 62.1 of the Va. Code.
19. "State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.
20. "SWRO" means the Southwest Regional Office of DEQ, located in Abingdon, Virginia.
21. "Va. Code" means the Code of Virginia (1950), as amended.
22. "VAC" means the Virginia Administrative Code.
23. "VPDES" means Virginia Pollutant Discharge Elimination System.
24. "Warning Letter" or "WL" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.

SECTION C: Findings of Fact and Conclusions of Law

1. Dungannon owns and operates the STP. The Permit allows Dungannon to discharge treated sewage and other municipal wastes from the STP, to the Clinch River, in strict compliance with the terms and conditions of the Permit.
2. The Clinch River is located in the Tennessee-Big Sandy River Basin, Cinch-Powell Subbasin, Section 2, Class IV, Special Standards: None. This segment of the mainstem of the Clinch River is listed in DEQ's 303(d)/305(b) report as impaired for failure to support the recreation use due to exceedances of the water quality standard for bacteria. This segment is included in the *Bacteria and Sediment TMDL Development for the Lower*

Clinch River Watershed, approved by EPA on June 25, 2014 and by the SWCB on June 26, 2014.

3. On October 22, 2018, DEQ issued WL No. W2018-10-S-1035 to the Town. The WL cited the following deficiencies at the Plant observed during a DEQ complaint investigation on October 11, 2018: floating solids at Outfall 001 and a significant plume in the Clinch River extending from Outfall 001 downstream approximately 50 yards.
4. On October 29, 2018, a response to WL No. W2018-10-S-1035 was received by DEQ. On October 30, 2018, in reference to the response from the Town of Dungannon, DEQ requested submittal of: 1) a plan to ensure proper reporting of unusual/extraordinary events to DEQ regarding loss of solids; 2) verification that the September 1988 (updated June 10, 2005) O&M Manual was the current O&M manual and submittal of copies of any further updates to the manual and 3) a list of each operator's name, type of license held and the days and hours actually worked each week at the Facility.
5. On November 6, 2018, a response to the request for submittal of information was received by DEQ. The response indicated that 1) the Facility would submit any unusual events to DEQ; 2) the September 1988 (updated June 10, 2005) O&M Manual was current for the Facility and 3) staffing consisted of one operator with a Class III license working four hours per day (Monday thru Friday) and two hours each on Saturday and Sunday; the Town had been unable to retain a trainee.
6. On November 15, 2018, DEQ issued WL No. W2018-11-S-1008 to the Town. The WL referenced the November 6, 2018 response from Dungannon, which stated that the Facility was staffed by one Class III operator four hours per day Monday – Friday and two hours per day on Saturday and Sunday. The WL also referenced a DEQ inspection conducted on June 27, 2017, during which it was noted that the Facility was staffed four to six hours per day Monday – Friday and two hours per day on Saturday and Sunday by a combination of a Class III operator and a trainee. The WL cited the fact that the current O&M Manual specified that the Facility was to be “manned 8 hours a day by a trainee to include 2 hours on Saturday and Sunday, under the direct supervision of a Class III operator whom will be present 4 hours a day in the afternoon”. The WL also cited the fact that there had been no amendments to the O&M Manual since June 10, 2005 to update the list of facility, local and state emergency contacts and the procedures for reporting and responding to any spills, overflows and treatment works upsets.
7. On December 11, 2018, a response from the Facility was received by DEQ. The response outlined steps taken in attempt to secure a trainee, without success. A request was made by the Town of Dungannon to amend the O&M manual to specify that the Facility would be “staffed by a Class III operator 4 to 6 hours a day and 2 hours each day on the weekend”. The response indicated that the Town did not have funding to allow for hiring of an additional Facility operator.

8. On December 18, 2018, DEQ responded to the December 11, 2018 letter from the Town of Dungannon, stating that the December 11, 2018 request for reduced staffing at the Dungannon STP had been reviewed and advising that the December 11, 2018 response did not address the compliance issues noted in the October 22, 2018 and November 15, 2018 Warning Letters. Additionally, the response advised that, in light of the unreported extraordinary discharge that occurred on October 11, 2018, a reduction in staffing would not be appropriate at that time.
9. On December 21, 2018, a response to the December 18, 2018 letter from DEQ was received from the Town. The letter requested amendments to the O&M manual in order to update the list of facility, local and state emergency contacts and the procedures for reporting and responding to any spills, overflows and treatment works upsets.
10. During the time period from January 28, 2019 to March 20, 2019, DEQ personnel visited the Facility eleven times and located an operator at the Facility during only one of the visits.
11. On March 20, 2019, at 12:35 PM, DEQ staff performed a Reconnaissance Inspection at the Dungannon STP. The plant operator was onsite at this time. A large amount of floating solids was observed in the aeration basin and one of the two blowers for the unit was out of service. DEQ's Request for Action required the submittal of a plan of action to repair the blower for the aeration tank and a recommendation to continue to skim solids from the aeration tank to prevent stoppage of the return lines and promote good treatment processes.
12. On March 25, 2019, DEQ received a letter from the Town advising that a contractor had been called in to skim remaining solids from the aeration tank and that the Town Mayor had granted permission to the Facility operator to order a new blower to be installed as soon as possible.
13. On April 3, 2019, at 10:45 AM, DEQ staff performed a Reconnaissance Inspection at the Dungannon STP. No operator was present at the plant. DEQ staff observed a dark black discharge from Outfall 001 containing inorganics, a slight odor and a very noticeable plume from the outfall pipe into the Clinch River; the discharge was not reported to DEQ. No operator was present at the plant when DEQ staff left at 10:55 AM.
14. On April 15, 2019, DEQ staff performed a Reconnaissance Inspection at the Dungannon STP. During the inspection, it was noted that the aeration basin appeared to be septic, with a very dark color and strong odor. The operator indicated that one of the residences may have discharged chemicals into the sewer system, killing the bacteria in the STP. The operator advised that M&M Services was scheduled to come and pump the basin on the following day and that he planned to reseed the plant. Via telephone on April 17, 2019, the operator communicated to DEQ staff that M&M Services had pumped 12 loads from the aeration basin of the STP on April 16, 2019 and that it was planned to add mixed liquor to the plant from the Nickelsville WWTP later in the week.

15. On May 8, 2019, DEQ issued NOV No. W2019-05-S-0002, citing paragraphs C(3), C(6), C(11), C(13) and C(14), above.
16. On May 14, 2019, DEQ received a telephone response to the NOV from the Facility operator.
17. On May 21, 2019, DEQ staff conducted a Reconnaissance Inspection of the Facility and observed that the plant was septic; the contents of the plant were black in color with a noticeable odor. The operator was present and stated that 16 loads were pumped from the aeration portion of the Facility and one load from the Nickelsville WWTP was brought in. The effluent at Outfall 001 was turbid. No unusual or extraordinary discharge was reported to DEQ by the Town of Dungannon. The electronic discharge monitoring report (EDMR) submitted by the Town to DEQ for May 2019 did not report any exceedances of Permit effluent limits.
18. On June 5, 2019, DEQ staff met with representatives of the Dungannon STP to discuss the NOV. On July 8 and 10, 2019, DEQ received correspondence from Dungannon regarding the NOV and discussions during the June 5, 2019 meeting.
19. On July 19, 2019, DEQ staff conducted a visit to the Facility. DEQ staff observed the discharge from Outfall 001 to be very discolored and cloudy. The Facility was unattended when DEQ staff arrived on-site at approximately 2:00 PM. The operator arrived at the Facility after being contacted via telephone by DEQ staff. When DEQ and Facility staff observed the effluent at the weir (post disinfection) before leaving the plant, it was observed to be very discolored and cloudy. The solids in the aeration basin were very dark in color and appeared to be septic, or almost septic. The Facility operator stated the Facility's color had previously improved, but was again deteriorating. DEQ staff instructed the Facility operator to report the unusual discharge as required and he did so. During the site visit, the written lab sheet for dissolved oxygen and pH data for the effluent did not contain data for July 17 or 18, 2019, and the flow lab sheet did not contain data for July 18, 2019.
20. On August 13, 2019, DEQ staff conducted a reconnaissance inspection of the Facility outfall, and the effluent from Outfall 001 appeared to be clear and of good quality.
21. On September 23, 2019, DEQ staff conducted a reconnaissance inspection of the Facility. The final effluent from Outfall 001 was very black with a strong odor and creating a visible plume in the Clinch River. When DEQ staff arrived at the Facility, no one was present. The Facility operator was contacted and arrived at the Facility after delivering samples to the lab in Norton, VA. The operator stated that the poor effluent and septic condition of the plant was probably a result of a problem with the activated sludge portion of the plant earlier in the week, which had not been reported to DEQ. The unusual/extraordinary discharge was only reported to DEQ after DEQ's Facility inspection. On September 24, 2019, solids were pumped from the aeration tank and clarifier by a pumping service. On September 25, 2019, Facility staff reported that the return was clogged with nearly 4 feet of sand and gravel, and that rags and pieces of

- metal screen were lodged against the return. On October 4, 2019, DEQ-SWRO received notification from Facility staff that the blower system would be repaired.
22. On October 7, 2019, DEQ staff conducted a reconnaissance inspection of the Facility, finding that the effluent from Outfall 001 was gray and exhibited a strong odor. Upon arrival of DEQ staff, the Facility operator was present and reported the unusual/extraordinary discharge to DEQ after being directed to do so by DEQ staff.
 23. On October 15, 2019, DEQ received an odor complaint regarding the Facility; DEQ staff visited the Facility's outfall and observed a gray discharge with a strong odor.
 24. On November 8, 2019, DEQ issued NOV No. W2019-11-S-0001, citing paragraphs C(17), C(19), C(22), C(24) and C(25), above.
 25. On November 13, 2019, DEQ staff conducted a sampling inspection of the Facility; the result of the BOD5 sample was 116 mg/l. According to the Facility's certificates of analysis and the DMR submitted for November 2019, one sample for BOD5 was collected during November 2019, as required by the Permit. That BOD5 sample was collected November 4, 2019; the result was 5.01 mg/l. The monthly average of the DEQ sample and Facility sample is 60.5 mg/l. The monthly average limit, set forth by the Permit, is 30 mg/l. The highest weekly average, when comparing the DEQ sample and the Facility sample, is 116 mg/l. The weekly average limit, set forth by the Permit, is 45 mg/l. The effluent had a strong odor and dark color during the sampling inspection.
 26. On November 15, 2019, DEQ received a telephone call from Dungannon regarding the latest NOV; the Town advised that a follow-up letter would be submitted to DEQ with dates for bringing the Facility back into compliance.
 27. On November 18, 2019, DEQ received a letter from Dungannon. The letter advised that the Town Mayor was to assume the position of trainee at the Facility; grant funding had been obtained by the Town for Facility repairs; the contract for repairs had been awarded and parts for repairs had been ordered and received; and explained contractor delays in starting the repair work.
 28. On December 11, 2019, DEQ staff conducted a site visit to the Facility, during which the effluent from the plant appeared to be improving, but still contained visible solids.
 29. On January 7, 2020, Dungannon submitted a DMR for Outfall 001 to SWRO with data indicating that the effluent limit set forth in Part I.A.1 of the Permit had been exceeded for December 2019 for the E. coli concentration average (190 N/CML reported; 126 N/CML limit).
 30. On January 28, 2020, DEQ staff conducted a site visit to the Facility. The Facility operator informed DEQ staff that all of the STP repairs that had been discussed during previous DEQ visits had been completed, including installation of new blower units and new air system. During the site visit, DEQ staff noted that contents of the aeration basin appeared to be well aerated, with earthen brown color and no odor; the secondary

clarifier appeared to be operating well, as water leaving the weirs of the unit was typical of secondary sedimentation. Effluent discharging to the Clinch River from Outfall 001 appeared to be of good quality during the site visit.

31. On February 26, 2020, DEQ issued NOV No. W2020-02-S-0003, citing violations of permitted effluent limits and the failure to provide documentation to DEQ indicating that the Facility is staffed in accordance with the O&M Manual requirements.
32. On March 3, 2020, DEQ received a written response to the NOV from Dungannon.
33. Va. Code § 62.1-44.5 states that: “[E]xcept in compliance with a certificate issued by the Board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances.”
34. The Regulation, at 9 VAC 25-31-50, also states that except in compliance with a VPDES permit, or another permit issued by the Board, it is unlawful to discharge into state waters sewage, industrial wastes or other wastes.
35. Va. Code § 62.1-44.15(5a) states that a VPDES permit is a “certificate” under the statute.
36. The Department has issued no permits or certificates to Dungannon for the discharge from the STP other than VPDES Permit No. VA0070670.
37. The Permit, at Part I, Section A, sets forth the final effluent parameter permit limits and states that “[t]here shall be no discharge of floating solids or visible foam in other than trace amounts...”
38. The Permit, at Part I, Section D(4), states “The permittee shall maintain a current Operations and Maintenance (O&M) Manual for the treatment works...[t]he permittee shall operate the treatment works in accordance with the O&M Manual...[t]his manual shall include...[h]ours of operation and staffing requirements for the plant to ensure effective operation of the treatment works and maintain permit compliance...” and “[p]rocedures for reporting and responding to any spills, overflows, and treatment works upsets.”
39. The Permit, at Part II, Section F, states that except in compliance with this permit, or another permit issued by the Board, it shall be unlawful to discharge into state waters sewage, industrial wastes or other wastes or any noxious or deleterious substances.
40. The Permit, at Part II, Section G, states “Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department within five days of discovery of the discharge...”

41. The Permit, at Part II, Section H, states “If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge...”
42. The Permit, at Part II, Section Q, states “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit...”
43. Clinch River is a surface water located partially within the Commonwealth and is a “state water” under State Water Control Law.
44. Based upon:
 - a) the results of Facility site visits and inspections conducted on October 11, 2018, March 20, 2019, April 3, 2019, April 15, 2019, May 21, 2019, July 19, 2019, September 23, 2019, October 7, 2019, October 15, 2019, November 13, 2019 and December 11, 2019;
 - b) the responses from the Facility received on October 29, 2018, November 6, 2018, December 11, 2018, December 21, 2018, March 25, 2019, May 14, 2019, July 8, 2019, July 10, 2019, November 15, 2019, November 18, 2019 and March 3, 2020;
 - c) the June 5, 2019 meeting between DEQ and Dungannon; and
 - d) the monthly DMR received on January 7, 2020,the Board concludes that Dungannon has violated Va. Code § 62.1-44.5, the Regulation 9 VAC 25-31-50 and the Permit, by discharging treated and partially treated sewage and municipal wastes from the Plant while concurrently failing to comply with the conditions of the Permit, as described in paragraphs C(3), C(4), C(6), C(8), C(10) through C(15), C(17), C(19), C(21) through C(25), C(28), C(29) and C(31).
45. In order for Dungannon to complete its return to compliance, DEQ staff and representatives of Dungannon have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, the Board orders the Town of Dungannon, and the Town of Dungannon agrees to perform the actions described in Appendix A of this Order.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Dungannon for good cause shown by Dungannon, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, after notice and opportunity to be heard.

2. This Order addresses and resolves only those violations specifically identified in Section C of this Order and in NOV No. W2019-05-S-0002, dated May 8, 2019, NOV. No. W2019-11-S-0001, dated November 8, 2019 and NOV No. W2020-02-S-0003, dated February 26, 2020. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce the Order.
3. For purposes of this Order and subsequent actions with respect to this Order only, Dungannon admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.
4. Dungannon consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. Dungannon declares it has received fair and due process under the Administrative Process Act and the State Water Control Law and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by Dungannon to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. Dungannon shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. Dungannon shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Dungannon shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:
 - a. the reasons for the delay or noncompliance;
 - b. the projected duration of any such delay or noncompliance;

- c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and
- d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the parties intend to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

- 9. This Order is binding on the parties hereto and any successors in interest, designees and assigns, jointly and severally.
- 10. This Order shall become effective upon execution by both the Director or his designee and Dungannon. Nevertheless, Dungannon agrees to be bound by any compliance date which precedes the effective date of this Order.
- 11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after Dungannon has completed all of the requirements of the Order;
 - b. Dungannon petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to Dungannon.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Dungannon from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

- 12. Any plans, reports, schedules or specifications attached hereto or submitted by Dungannon and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
- 13. The undersigned representative of Dungannon certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind Dungannon to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of Dungannon.
- 14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no

representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.

15. By its signature below, Dungannon voluntarily agrees to the issuance of this Order.

And it is so ORDERED this _____ day of _____, 2020.

Jeffrey L. Hurst, Regional Director
Department of Environmental Quality

The Town of Dungannon voluntarily agrees to the issuance of this Order.

Date: 9/18/20 By: Debra Horne Mayor
(Person) (Title)
Town of Dungannon

Commonwealth of Virginia

City/County of Scott

The foregoing document was signed and acknowledged before me this 15th day of

September, 2020, by Debra Horne who is

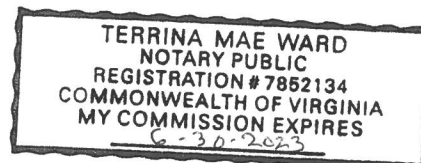
Mayor of the Town of Dungannon, on behalf of the Town.

Terrina Mae Ward
Notary Public

7852134
Registration No.

My commission expires: 6-30-2023

Notary seal:



APPENDIX A SCHEDULE OF COMPLIANCE

In order to comply with the provisions of the State Water Control Law, the Regulation and the Permit, the Town of Dungannon agrees to implement the following actions by the date noted below:

1. Hire additional certified staff to ensure the Class III treatment plant is manned eight (8) hours per day, per the O&M manual.....within six months of the effective date of this Order.
2. Notify DEQ in writing within ten days of completion of Item 1 above.
3. Unless otherwise specified in this Order, the Town of Dungannon shall submit all requirements of Appendix A of this Order to:

Ruby Scott
Compliance Auditor
VA DEQ – Southwest Regional Office
355-A Deadmore Street
Abingdon, Virginia 24210
Phone: (276) 676-4882
Fax: (276) 676-4899
ruby.scott@deq.virginia.gov